

meant for eternity. That is why there is a 25-year rule. We must not get to where London is now. London is having to tear down memorials in order to allow memorials to go up. That is not the only reason Commemorative Works Act has a 25-year rule that says to Congress step back, and the reason that Congress has stepped back in each and every occasion, the pain of a memorial may be fresh, the reputation of a personage needs time to gel. History needs to inform us and see in context what it is we want to do.

The Chair of the National Capital Planning Commission, John Cogbill, III, appointed by President Bush, did send to the House a letter in which he took exception to the bill on the basis of the three violations I have noted. I am very, very pleased that most serious of the exceptions that the bill initially put forward have been rectified. We know that memorials are best when there is a nationwide competition, when people who have looked at memorials over time can look and bring their expertise to bear, and that is going to happen here. We know that we cannot sit here and say where a memorial should be built, that we have got to trust those with whom we have delegated this responsibility. That is gone.

I will submit for the RECORD the letter of Mr. Cogbill so that the RECORD can be fully informed with respect to these three problems that the initial bill has.

Mr. Speaker, I want to once again express my appreciation to the gentleman from Utah (Mr. HANSEN) and certainly to the gentleman from Texas (Mr. TURNER) for the great sensitivity they both have shown in designing this bill. I support the bill with the reservations I have noted.

The letter previously referred to is as follows:

NATIONAL CAPITAL PLANNING
COMMISSION
Washington, DC, March 19, 2002.

Re Terrorism Memorial
Hon. JAMES V. HANSEN,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR CHAIRMAN HANSEN I am writing to express the concerns of the National Capital Planning Commission with regard to H.R. 2982, a bill that would authorize a memorial in Washington, D.C. to victims of terrorist attacks on the United States.

The Commission mourns the tragic loss of life resulting from terrorist attacks on the United States, including the atrocities committed on September 11th, when terrorists orchestrated the most devastating attack on American soil in our nation's history. We share the desire to find appropriate ways to remember and honor the victims, but we urge that, consistent with the Commemorative Works Act (CWA), sufficient time be allowed to pass so that these tragic events are put in proper historical perspective before commencing the process of locating and designing such an important national memorial.

As you are aware, the process for establishing memorials in the Nation's Capital is governed by the CWA. By setting forth criteria for the subject matter, location, and design of memorials, the CWA is intended to

preserve the integrity of the L'Enfant and McMillan Plans for the Nation's Capital, while protecting and maintaining the limited amount of open space available on and around the Mall.

The Commission is concerned that H.R. 2982 circumvents one of the key provisions of the CWA the 25-year waiting period for the authorization of new memorials in the Nation's Capital. The purpose of this provision, which states that a memorial "shall not be authorized" by Congress until at least 25 years after the death of the individual or event, is to ensure that enough time passes following an event for policymakers and historians to gain an appropriate historical perspective before establishing a permanent memorial in the Nation's Capital.

Just as with other tragedies in American history—from Gettysburg to Pearl Harbor to Oklahoma City—a more meaningful and appropriate place to honor victims at this time might be at the sites of the tragedies themselves. Congress has already authorized legislation for a memorial at the Pentagon, and permanent memorials at the World Trade Center and at the Pennsylvania crash site are currently being considered.

Other provisions of H.R. 2982 are also inconsistent with the CWA. In order to help preserve the limited number of sites available in area I (sites on or near the Mall), the CWA requires passage of a separate act of Congress, following a recommendation by the National Capital Memorial Commission, before locating a memorial in this prominent area. Yet this bill directly authorizes the memorial to locate in area I, overriding the requirement for a second round of consideration by Congress. In addition, the bill suggests that any specific location for the memorial be "approved by the Congress," again contrary to the CWA, which delegates to the federal land-holding and review agencies decisions as to the specific location and design of new memorials.

The Monumental Core of our Nation's Capital has evolved over the centuries into a powerful expression of our nation's values, achievements, losses, and challenges. By respecting the process established by the CWA, we can ensure that the victims of terrorist acts against our country are properly memorialized and, at the same time, the historical integrity of our grand Monumental Core is preserved.

Sincerely,

JOHN V. COGBILL, III,
Chairman.

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 2982, the Victims of Terrorist Attacks Memorial Act which will establish a memorial in Washington, DC to honor those Americans whose lives were tragically taken as a result of terrorism.

At the Murrah Building in Oklahoma, the World Trade Center, the Pentagon, and in the fields of Pennsylvania, our Nation has witnessed the best and the worst of humanity. These despicable and cowardly terrorist acts were valiantly countered with the incredible heroism and courage of not only our firefighters, law enforcement officers, and emergency personnel but also our fellow citizens.

Accordingly, it is incumbent upon our Nation to honor those departed heroes. Establishing a memorial in honor of those deserving men and women will be a fitting tribute to their memory and their contribution to our Nation's freedom. Moreover, it will act as a permanent reminder to our Nation and the world that our Nation is engaged in an ongoing battle in the name of those who were taken from us to rid the world of these most heinous of crimes. Ac-

cordingly, I urge my colleagues to support this important measure.

Mr. ISRAEL. Mr. Speaker, I rise today in strong support of H.R. 2982. This legislation will authorize a memorial in Washington, D.C., to commemorate American victims of terrorist attacks. The desire to memorialize the victims of the September 11th terrorist attacks was the driving force behind this bill, and as an original cosponsor, I applaud my colleagues bringing this bill to the floor today.

I have met with families in my district who lost loved ones in the attack on the World Trade Center and the Pentagon, and I have tried to help them with legislation that will ease their financial burden. I am hopeful that this bill will help them in a different way. I want them to know that the American people support them, and this memorial will show them that their husbands, wives, sons, daughters, brothers and sisters will never be forgotten.

This memorial, however, is not only for the victims of terrorist attacks and their families. It is a memorial for every person in our nation. It will give the people of the United States a site to pay their respects to the victims. It will serve as an area for mourning. It will also be a place to remember. I am hopeful that the memorial will also be a space where people can see the American spirit, which cannot be defeated, to take comfort in America's resolve and the inevitable triumph of freedom.

The September 11, 2001 attacks changed every American life. It was the saddest and most enraging day in many of our lives. It is appropriate that we build this memorial to commemorate not the attacks, not response, not the war, but the victims of the attacks.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2982, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. TURNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE BOUNDARY REVISION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4682) to revise the boundary of the Allegheny Portage Railroad National Historic Site, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Allegheny Portage Railroad National Historic Site Boundary Revision Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **HISTORIC SITE.**—The term “historic site” means the Allegheny Portage Railroad National Historic Site in Blair and Cambria Counties, Pennsylvania, established pursuant to Public Law 88-546 (78 Stat. 752; 16 U.S.C. 461 note).

(2) **MAP.**—The term “Map” means the map entitled “Allegheny Portage Railroad National Historic Site, Blair and Cambria Counties, Pennsylvania”, numbered NERO 423/80,014 and dated May 01.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. REVISION OF HISTORIC SITE BOUNDARIES.

(a) **LANDS EXCLUDED FROM AND ADDED TO HISTORIC SITE.**—The boundary of the historic site is hereby revised—

(1) by deleting—

(A) the approximately 3.09 acres depicted on the Map as tracts 105-21 and 105-15; and

(B) the approximately 7.26 acres depicted on the Map as tract 102-42; and

(2) by adding—

(A) the approximately 42.42 acres depicted on the map as tract 101-09; and

(B) the approximately 15 acres depicted on the map as tract 104-07.

(b) **AUTHORIZATION FOR ACQUISITIONS.**—

(1) **ACQUISITION 1.**—

(A) **IN GENERAL.**—The Secretary is authorized to acquire, from willing owners only, the approximately 98 acres depicted on the Map as tract 103-07 in exchange for the approximately 108 acres depicted on the Map as tracts 102-38 and 103-04.

(B) **EQUALIZATION OF VALUES.**—If the values of the tracts to be exchanged under subparagraph (A) are not equal, the difference may be equalized by donation, payment using donated or appropriated funds, or the conveyance of additional land.

(2) **ACQUISITION 2.**—The Secretary is authorized to acquire by exchange or donation, from willing owners only, the lands included within the boundary of the tract described in subsection (a)(2)(B).

(c) **REVISION OF BOUNDARIES AFTER ACQUISITIONS.**—Upon completion of the exchange under subsection (b)(1), the boundaries of the historic site shall be revised, as appropriate—

(1) by adding the land acquired by the United States; and

(2) by deleting the land that is no longer owned by the United States.

SEC. 4. AVAILABILITY OF MAP.

A copy of the Map shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

SEC. 5. ADMINISTRATION OF ACQUIRED LANDS.

Lands and interests in lands added to the historic site under this Act shall be administered by the Secretary as part of the historic site in accordance with applicable laws and regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4682, introduced by the gentleman from Pennsylvania (Mr. MUR-

THA) would revise the boundary of the Allegheny Portage Railroad National Historic Site. The Allegheny Portage Railroad, located in southwestern Pennsylvania, was the first railroad constructed over the Allegheny Mountains. The railroad helped to facilitate trade in the area and open the interior of the United States to settlement and was considered a technological wonder of its day because of its unique construction. The bill authorizes the acquisition of approximately 98 acres in exchange for nearly 108 acres. This will help facilitate access for a property owner that had previously been landlocked.

The bill authorizes the Secretary to acquire a tract from the State of Pennsylvania Game Lands Commission to help facilitate the development of the Harrisburg to Pittsburgh Millennium Trail. The bill comes to the floor with an amendment correcting some technical errors.

This is a good bill and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

This bill sponsored by my colleague, the gentleman from Pennsylvania (Mr. MURTHA), that alone makes it worthy of consideration by this body. I commend the gentleman from Pennsylvania for his excellent effort on behalf of this important national historic site, and I urge passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4682, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1700

CLARIFYING TAX TREATMENT OF BONDS AND OTHER OBLIGATIONS ISSUED BY GOVERNMENT OF AMERICAN SAMOA

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1448) to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa, as amended.

The Clerk read as follows:

H.R. 1448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFICATION OF TAX TREATMENT OF BONDS AND OTHER OBLIGATIONS ISSUED BY GOVERNMENT OF AMERICAN SAMOA.

(a) **EXEMPTION OF ALL BONDS FROM INCOME TAXATION BY STATE AND LOCAL GOVERN-**

MENTS.—Subsection (b) of section 202 of Public Law 98-454 (48 U.S.C. 1670) is amended to read as follows:

“(b) **EXEMPTION OF ALL BONDS FROM INCOME TAXATION BY STATE AND LOCAL GOVERNMENTS.**—

“(1) **IN GENERAL.**—The interest on any bond or other obligation issued by or on behalf of the Government of American Samoa shall be exempt from taxation by the Government of American Samoa and the governments of any of the several States, the District of Columbia, any territory or possession of the United States, and any subdivision thereof.

“(2) **EXEMPTION APPLICABLE ONLY TO INCOME TAXES.**—The exemption provided by paragraph (1) shall not apply to gift, estate, inheritance, legacy, succession, or other wealth transfer taxes.”.

(b) **EFFECTIVE DATE.**—This Act shall apply to obligations issued after the date of the enactment of this Act.

The SPEAKER pro tempore (Mr. BASS). Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1448, a bill to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa. This bill, introduced by the gentleman from American Samoa (Mr. FALEOMAVAEGA), permits interest earned on bonds issued by the American Samoa Government to be exempt from both State and local taxation. Passage of H.R. 1448 will provide American Samoa parity in the tax treatment of their bonds with all of the other U.S. territories.

The bill was considered by both the Committee on Resources and the Committee on the Judiciary, which both reported out the identical text which is before the House today. I thank the gentleman from Wisconsin (Mr. SENBRENNER) for his cooperation in scheduling this bill today, and I ask Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA) to explain the legislation, and commend the gentleman for his leadership.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, this legislation has taken a roundabout journey through our committee system, particularly because the issue involves the issuance of bonds. As such, the bill was referred concurrently to the Committee on Ways and Means, as well as to the Committee on the Judiciary. But I am extremely happy and gratified that H.R. 1448 has received the approval and referral from the Committee on Ways and Means and the Committee on the Judiciary to the Committee on Resources, and I thank the gentleman from California (Mr.